

## **Exhibit D**

### **Plaintiffs' Proposed Order**

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**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

CHASOM BROWN, WILLIAM BYATT,  
 JEREMY DAVIS, CHRISTOPHER  
 CASTILLO, and MONIQUE TRUJILLO  
 individually and on behalf of all similarly  
 situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

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Case No.: 5:20-cv-03664-LHK

**[PROPOSED] ORDER RE: THIRD  
 PARTY SUBPOENAS**

The Honorable Susan van Keulen  
 Courtroom 6 - 4th Floor

**[PROPOSED] ORDER**

Before the Court is the parties' Joint Submission Re: Third Party Subpoenas. ("Joint Submission"). Having considered the parties' Joint Submission, and good cause having been shown, the Court finds that Defendant, Google LLC ("Google") has failed to demonstrate the need for a protective order with respect to the information that Plaintiffs seek through their third-party subpoenas to Ernst & Young LLP, PricewaterhouseCoopers LLC, and Promontory Financial Group. The information Plaintiffs seek is relevant, not overly broad, not duplicative, and is proportional to the needs of this litigation. The Court hereby **ORDERS** as follows:

1. Plaintiffs' third-party subpoenas served on Ernst & Young ("EY"), PricewaterhouseCoopers ("PwC"), and Promontory Group ("Promontory") (collectively, the "Third-Party Auditors") in September and October 2021 (attached to the Joint Submission as Exhibits A through C), are hereby modified to documents that are not reasonably believed to be in the custody, control, or possession of Google.

2. The temporal scope of the third-party subpoenas is limited to June 1, 201\_\_.

3. Google's request for a protective order is otherwise **DENIED**.

**IT IS SO ORDERED.**

DATED: \_\_\_\_\_

Honorable Susan van Keulen  
United States Magistrate District Judge